

VZCZCXRO3022  
RR RUEHDBU RUEHFL RUEHKW RUEHLA RUEHROV RUEHSR  
DE RUEHBS #1130/01 0931317  
ZNY CCCCC ZZH  
R 031317Z APR 07 ZDK  
FM USEU BRUSSELS  
TO RUEHC/SECSTATE WASHDC  
INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE  
RUCNDT/USMISSION USUN NEW YORK

C O N F I D E N T I A L SECTION 01 OF 03 BRUSSELS 001130

SIPDIS

SIPDIS

E.O. 12958: DECL: 03/28/2017

TAGS: [PREL](#) [EUN](#) [ZL](#) [UN](#) [ICTY](#)

SUBJECT: U.S.- EU WESTERN BALKANS TROIKA CONSULTATIONS

Classified By: Political Officer Holly Schwendler for reasons 1.4 (b) & (d)

-----  
Summary  
-----

¶1. (C) EU Council, Commission, and member state officials told EUR/SCE Director Chris Hoh March 19-21 in Brussels that the EU is working hard to maintain member state unity in support of Ahtisaari's package and that an unambiguous UN Security Council Resolution (UNSCR) was vital to ensure the EU's ability to collectively engage with post-status Kosovo. Commission officials voiced their anxiety over Kosovo's lack of capacity for self-governance and lack of focus on post-independence policy initiatives. Interlocutors emphasized that the EU would resume Stabilization and Association Agreement (SAA) talks with Serbia as soon as a new government was in place that was committed to ICTY cooperation, democratic reform, and a European future. The EU shares U.S. concern about the political climate in Bosnia, and noted that initialing of the SAA remains on hold until progress is made on police reform, public broadcasting, and public administration. The Commission is encouraging Albania to find political consensus and deal with problems of corruption and organized crime. European interlocutors also noted Macedonia's failure to make progress on the EU's political criteria for accession. The EU is optimistic about Montenegro's future in Europe after the initialing of an SAA agreement in early March, although Commission officials observe that institutional capacity is still lacking.

¶2. (U) Hoh reviewed Western Balkans issues with the EU Troika represented by German Balkans Director Emily Haber for the Presidency, Council Director for Western Balkans Stefan Lehne, and Commission official Dirk Lange who were joined by Portuguese Special Coordinator for the Balkans Ambassador Antonio Tanager in Brussels on March 20. He held private meetings with Lange and Lehne as well as Genoveva Ruiz Calavera and Therese Sobieski, who each head Commission units covering Kosovo and Serbia and Montenegro, respectively. Hoh also met with Helene Holm-Pedersen and Maria Asenius, members of Commissioner for Enlargement Rehn's cabinet, as well as other German Presidency officials. End Summary.

-----  
Kosovo: Preparing for Status  
-----

¶3. (C) Lehne stressed that the EU is working to ensure there is no divergence among EU member states in providing full support to the Ahtisaari package during the UN phase. Lehne underscored that an unambiguous UN Security Council Resolution (UNSCR) is necessary to provide the legal framework for future EU engagement and support to Kosovo. The worst case scenario for the EU, he argued, would be a drawn-out process yielding a vague UNSCR that "brings a

resolution without a solution." Lehne and German Presidency officials argued separately to Hoh that the UNSCR, recognition, and implementation should take place before the Portuguese assumed the EU Presidency this summer because Portugal was not entirely prepared to handle the demands of the task.

¶4. (C) Preparations for the International Civilian Office (ICO) and the ESDP Rule of Law Mission continue, and member states remain focused on the European perspective for Kosovo. Privately, however, Calavera told Hoh that she was pessimistic about Kosovo's capacity for self-governance and said that the Unity Government was entirely unfocused on governance issues and determining policy priorities, both of which will be essential to inform the EU's donor conference and subsequent project implementation. Compounding the problem is the lack of solid economic expertise in Pristina. Both Calavera and Holm-Pedersen argued that the U.S. and EU will need to put pressure on the IMF and World Bank to complete the Kosovo needs assessment which will be vital to determining priorities.

¶5. (C) Hoh assured his interlocutors that the U.S. shared the EU's desire for a clear UNSCR and was working hard toward that end. He warned that implementation of the settlement will be difficult and it is essential that the U.S. and EU emphasize international commitment and engagement in Kosovo, especially to the areas outside Pristina where vulnerable populations will need reassurance. The U.S. and the EU must continue to deliver a solid message of unity and support for the Ahtisaari proposals and the process to those in the region as well as in Moscow.

-----  
Serbia: The Door Remains (Conditionally) Open

BRUSSELS 00001130 002 OF 003

-----  
¶6. (C) Turning to Serbia, Hoh noted first the relatively positive news that Serbian parliamentary elections were conducted in a transparent and democratic fashion. However, no government has been formed and Serbia has made no progress toward realizing its European future. The U.S. welcomed recent EU statements that the door remains open to Serbia while striking a balance with maintaining war crimes conditionality before SAA negotiations can be concluded. Hoh argued that the U.S. and EU needed to work collectively on efforts to encourage Belgrade along the right path, particularly against the backdrop of the Kosovo status settlement, while making sure to guard against the appearance of Belgrade's "selling Kosovo."

¶7. (C) Haber expressed broad agreement with all of the U.S. points and underscored the EU's desire to soon see a new government in Belgrade focused on reform, war crimes cooperation, and a European future. She emphasized that the EU is ready to resume SAA negotiations when a committed government is in place. Commission officials outlined the specific conditions under which the Commission will re-engage Serbia. First, the government needs to be clearly committed to ICTY cooperation with transparent coordination among agencies on the issue. The EU will look for solid arrangements with the Prosecutor's office and will continue to monitor progress throughout the negotiations. Finally, full compliance -- the arrest of Mladic -- will be necessary for member states to conclude negotiations. The Commission aims to conclude visa facilitation negotiations (which are proceeding on a separate track) with Belgrade soon.

-----  
BiH: No Signs of Reform  
-----

¶8. (C) Haber expressed the EU's concern over the lack of reform in Bosnia and said that initialing of the SAA

agreement will remain on hold until progress is made in the areas of police, public broadcasting, and public administration. BiH will also have to demonstrate full ICTY cooperation. (Lange noted that the EU will rely on ICTY Prosecutor del Ponte's assessment of BiH compliance.) Constitutional reform is not a precondition for SAA and, in the EU's view, Bosnia should take ownership of this task themselves. Haber went on to lament Silajdzic's unhelpful attitude and the broader negative effects of the ICJ verdict on the political climate in Sarajevo; Republika Srpska needed to publicly acknowledge the verdict. She emphasized that the international community should speak with one voice on all these issues, while Lange worried that the February PIC decision to extend OHR at the same time as EUFOR was restructuring its presence sent mixed messages.

¶9. (SBU) Hoh underscored U.S. willingness to work with EU partners on pushing reforms and agreed that the international community needed to coordinate its messages. The U.S. and EU should reinforce their positive agenda -- the development of a functioning rule of law system -- rather than continuing to deliver only negative messages. On constitutional reform, Hoh said that Bosnian politicians should look at the first package as the logical next step. The U.S. is waiting for a signal that the new government wants to move forward, but has not yet seen any indication.

-----  
Albania: Politics Hindering Progress  
-----

¶10. (C) Lange said that Commissioner Rehn delivered a strong message to the government on his recent trip to Albania, emphasizing that the parties needed to look for consensus in finding a Presidential candidate so as to avoid new elections. Smooth elections would enable the government to turn to dealing with organized crime and corruption and building the infrastructure necessary for economic development. According to Asenius, Rehn is privately optimistic about the elections and the potential for improvement in the political climate. During the Troika gathering, Tanger noted the need for international community engagement and pressure on the Albanians to focus on reform. Hoh emphasized that the recent elections were an advance over past polls. Good U.S.-EU cooperation on the ground has helped in delivering messages to Tirana.

-----  
Macedonia: Pessimism on EU Accession Prospects  
-----

¶11. (SBU) Tanger took a slightly more negative view of developments in Macedonia than other EU interlocutors, saying

BRUSSELS 00001130 003 OF 003

that the political protagonists' lack of experience has resulted in increased tension between the government and opposition, and that the situation was deteriorating. Hoh argued, however, that some initiative has been taken to re-launch political dialogue in Macedonia, and the outlook may improve. Referring to Rehn's public criticism of Macedonia's failure to make progress on meeting the EU's political criteria for accession, Hoh said that the U.S. privately reinforced the same message to Skopje, noting that NATO accession could also be in jeopardy if better efforts were not made. Asenius confirmed that the Commission was unlikely to set a date for EU accession this autumn as initially hoped. Both sides agreed that the U.S. and EU should cooperate in pushing back against the return to Macedonia of four ICTY cases with which the judicial system is not prepared to cope.

-----  
Montenegro: Following the Euro-Atlantic Path  
-----

¶12. (SBU) The outlook for Montenegro was positive, according to Tanger, given recently-held free and fair elections and initialing of the SAA agreement in early March. Pursuing the European path was the most effective way to resolve differences between pro-Serb and pro-Montenegro independence communities. Tanger welcomed U.S. cooperation in calling for a stronger rule of law regime and increases in institutional capacity, as well as more transparency in fighting organized crime and corruption. Hoh noted that the SAA was likely to have positive spillover effects in the region and expressed U.S. interest in working together with the EU to increase transparency. Sobieski said that while Montenegro has been proactive in making the changes necessary to accede to the acquis, institutional capacity is still lacking and the government is finding it hard to determine priorities without steering from the Commission.

¶13. (U) EUR/SCE Hoh has cleared this cable.

MCKINLEY

.